

care reform. We are trying to get it done by the end of this year, and it really is important.

People need to have affordable insurance. They need to have choices. I think we need a strong public option as well because that will create competition with private insurance. It will bring down costs, and it will allow more people to find affordable insurance.

The problem is not getting any better. It's getting worse every day, and health insurance reform needs to be done here in the House, in the Senate, and it needs to be sent to the President as quickly as possible so we can deal with this major problem that we face in this country. I would like to see it done in a bipartisan way.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 772 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 772

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes. All points of order against consideration of the conference report are waived. The conference report shall be considered as read. All points of order against the conference report are waived. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

□ 0915

Mr. MCGOVERN. I yield myself such time as I may consume.

Madam Speaker, this rule provides for consideration of the conference report on H.R. 2918, the Legislative Branch Appropriations Act. I rise in strong support of the rule and of the underlying legislation. The bill before us today includes not only the fy 2010 Legislative Branch appropriations bill

but, more importantly, a continuing resolution to keep the government operating for the next 6 weeks.

With a few important exceptions, the continuing resolution provides level funding. In other words, the bill maintains funding levels passed at the 2009 appropriations process levels.

One of those exceptions is in the vital area of veterans health care, which receives an increase in this bill. The VA estimates that it will treat more than 6.1 million patients in 2010, including more than 419,000 veterans of the Iraq and Afghanistan wars. That number represents an increase of 56,000 more patients than in 2009.

To ensure that the VA can provide our veterans the care that they need and that they deserve, the bill increases the funding for VA health by \$3.85 billion. I would encourage all Members on both sides of the aisle who wish to provide this needed increase in veterans health care to support the bill.

To address the right-wing talk radio target of the week, no funds in this bill may be provided to ACORN or any of its affiliates, subsidiaries or allied organizations.

In terms of process, Madam Speaker, none of us on either side of the aisle are happy with continuing resolutions. They have been used for years under Democratic and Republican majorities, but they are clearly not ideal.

Here in the House, we have completed our work of passing all of the appropriations bills, and I want to commend Chairman OBEY and his colleagues on the Appropriations Committee for their efforts and all of their hard work.

Unfortunately, it seems that these days that you need 60 votes in the Senate to agree that the sun came up this morning. The Senate has not yet passed all of its bills, and this continuing resolution is necessary to ensure that vital programs continue to receive funding.

I urge my colleagues to support the rule and the underlying legislation.

I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, the end of the fiscal year, as we all know, is just a few days away.

Despite this looming deadline, Congress has not completed action on a single appropriations bill. Let me repeat that, Madam Speaker: we have got within 5 days of the end of the fiscal year, and yet not one single appropriations bill has been completed by this Congress.

As a result, the Democratic majority is scrambling to accomplish two things, two things with this underlying bill that we have. The first is to buy more time to get our work done with the continuing resolution, which will keep the government operating for an additional 38 days beyond the September 30 expiration of the fiscal year. The second is to finally take the first

step towards passing our appropriations conference reports.

Madam Speaker, which spending bill has the honor of being considered first? Which spending bill? Perhaps it's our Homeland Security appropriations bill, which funds our Border Patrol and other Federal agencies charged with protecting our States, cities, and ports from terrorist attacks. Or, perhaps, Madam Speaker it's the very, very important Defense appropriations spending bill, which would provide the funding for our troops.

In fact, the very first spending bill that the House is moving to send to the President is our Congress' own funding bill. The underlying Legislative Branch appropriations bill makes the Democratic majority's funding priorities very, very clear.

Madam Speaker, I describe this as the "putting Congress first" appropriations process. That's really what it is. We remember back in 1992, putting people first was President Clinton's campaign motto. We have now seen this Congress establish a new directive based on what we are doing on this appropriations bill, and that is we are putting Congress first.

As we look at this priority, it is very clear that the continuing resolution will allow for more time to take care of everything else. Now, some would say that we, as Republicans, are just belly-aching. I mentioned President Clinton and his campaign back in 1992 of putting people first, and this now the putting Congress first appropriations process.

Well, back in 1996 after President Clinton had been President for almost 4 years, he vetoed the Legislative Branch appropriations bill when a Republican Congress sent it as the second appropriations bill of that season. Madam Speaker, President Clinton said the following in his veto message: "I believe that it would be inappropriate to fully fund regular funding for Congress and its offices while funding for most other activities of government remains incomplete, unresolved and uncertain. I don't think Congress should take care of its own business before it takes care of the people's business."

Those are the words of President Clinton in his 1996 veto message when the second appropriations conference report sent to him was the Legislative Branch appropriations bill measure. He was right to veto that bill and President Obama would be right to do it now, Madam Speaker, following President Clinton's lead.

Unfortunately, even if the President wanted to veto this bill, there is a problem. A veto, as we all know, would shut down the government, something that no one wants. The Democratic majority has made sure that our offices don't have to worry about working within temporary funding; but our veterans, Homeland Security personnel, the fighting men and women will just have to make do.

Madam Speaker, this is just another example of what I am calling the "putting Congress first" appropriations process. Those who follow the work of the Congress know that continuing resolutions are not unusual, and we recognize that on this side of the aisle. The Federal budget is a very serious responsibility, and our work often, under either party, has extended throughout the fall.

What's different throughout this year is not the necessity of a continuing resolution. What's different, Madam Speaker, is the fact that the Democratic majority shut down debate on our appropriations bills, ostensibly for the sake of completing our spending bills on time.

They said that there was a schedule to keep. They said that there was no time for debate and deliberation while the clock was ticking. With regrets to the American people, we just cannot allow for scrutiny and accountability on the spending of taxpayer dollars because September 30 is fast approaching.

Now, as the fiscal year draws to a close, it would appear that the rights of Democrats and Republicans have been trampled on for the sake of a goal that has not come close to being achieved. Throughout June and July, as debate on bill after bill was shut down, we heard the drum beat of the impending deadline.

On June 10 our friend, whom I am happy to see here on the floor, the distinguished chairman of the Appropriations Committee, announced his "ambitious schedule" saying that his time line would be unworkable as long as we had "procedural cooperation." Of course, we very soon learned that procedural cooperation was a euphemism for closing down the debate.

Now, the distinguished chairwoman of the Committee on Rules, on June 17 on the House floor, said that the Democratic majority was prepared to push forward at all costs to complete the appropriations process on time.

Again, we now know that those costs were the abandonment of what has been the 220-year history of the appropriations process, and that is open to debate and the rejection of amendments to be considered by Democrats and Republicans. On June 19, the distinguished majority leader reiterated this stance saying that the only way to get our work done is if we limit debate time.

Throughout the summer, the Democratic majority did just that. Every single appropriations bill was considered under a restrictive rule. Spending bills have been historically considered, as I said, under a full and open process that allows for all Members, not just committee Chairs or members of the leadership, but all Members of both parties to make their constituencies' voices heard in the Federal spending process. Yet the Democratic majority announced at the outset of this year's process that they were abandoning open debate for the sake of expediency.

Now, Madam Speaker, the Democratic majority did deliver on the issue of closing down debate for the appropriations process. What they haven't delivered on is the timely completion of our constitutional responsibility. They dismantled the open appropriations process, and, for what? So we could pass the "putting Congress first" bill and leaving the rest of our work to be completed at a later date.

We could call this just another broken promise in a never-ending string of broken promises by this Democratic majority; but this is bigger, this is bigger, Madam Speaker, than just broken promises. We have more than a trillion-dollar deficit, and the year isn't over yet. Our national debt has skyrocketed, skyrocketed to nearly unfathomable levels.

The American people are incredibly frustrated about our fiscal state and the crippling debt we have saddled on our future generations. Yet the Democratic majority has shut out accountability of their spending practices for the sake of a deadline that they didn't even try to keep. That's one of the reasons why we are here today, to extend the deadline on appropriations bills that were rammed through the House without the benefit of many thoughtful amendments from both Democrats and Republicans proposed by those who are deeply concerned about runaway spending.

Now, of course, our friends on the other side of the aisle will have great excuses, and they are excuses we have heard regularly from both sides. They will say that the House has done its work; they can't control what happens over in the other body; we can't control what those guys do on the other side of the Capitol. But when the Republicans were in the majority, our colleagues on the other side of the aisle would regularly point out that we had control of both bodies of Congress and the White House. They would say that we were in control, and so we had to shoulder the responsibility.

Madam Speaker, when someone stands up and makes the argument we did our job in the House, but we can't, we can't control what those guys do over on the other side of the Capitol, remember what was regularly said, that when you have supermajority control of the Senate, and now with the appointment of PAUL KIRK, the 60th seat is there in the Senate, when you have control of the White House and a large majority in the House of Representatives, one has to take responsibility.

Now, the situation is such that our friends must take the responsibility. With the impending appointment, as I said, we now have, we now have both Houses of Congress and the White House in complete control of the Democrats. Excuses about blaming the other body for having not done their work really are not acceptable.

Madam Speaker, not one of us, not one of us is interested in a government

shutdown. But this bill makes two things very clear, first, that the Democratic majority is more concerned with padding its own budget for this institution than meeting the rest of the country's needs. Second, the concerns and input of the American people were stifled, we see now, for no good reason at all.

I urge my colleagues to reject this rule.

I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

First of all, I don't think we need any lectures by Members of the other side about process. If I recall, when they were in charge here, continuing resolutions were a regular part of the process. If I recall correctly, their last year in power they did a short-term CR. That means they got nothing done and dumped all of their appropriations work on the incoming Democratic Congress, which was a daunting task, to deal with 2 years of appropriations. They had their chance, and I think that they messed it up.

□ 0930

The fact is that the bill before us, the conference report before us, is the Legislative Branch Appropriations bill, which is an important appropriations bill. All appropriations bills are important. I don't think it does anybody any good to diminish the importance of this.

This is important and it needs to be passed. I fully expect that the other appropriations bills will be conferenced, and we will be dealing with more and more conference reports in the coming weeks.

But, look, what we need to do here, Madam Speaker, is not only pass a conference report for the Legislative Branch Appropriations, but we also need to pass a continuing resolution which includes an increase in veterans' health care.

We have thousands and thousands of young men and women who we have sent to Iraq and who we have sent to Afghanistan. They deserve a first-class health care system when they return. All veterans do. They have served our country with great distinction. They not only deserve the best health care, but they have earned it. There is an increase in this CR for veterans' health.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I'm happy to yield.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, let me say that I completely concur with the gentleman. He's actually making our arguments here about the priority of ensuring that our men and women who have sacrificed and fought on behalf of the cause of freedom do have access to quality health care, that we have the funding for those troops there. That is a very important priority. That's why we should be doing those appropriations bills first.

Mr. MCGOVERN. I reclaim my time.

I thank the gentleman for agreeing with me, and hopefully we will have a unanimous vote on this, because there should be no disagreement on that. Again, in this continuing resolution, I will repeat to my colleagues, there is an increase in funding for veterans' health.

I think we should move forward. Get this conference report done. There will be more conference reports down the road. This is not an easy process. I think I've come to learn that the House of Representatives does not control the United States Senate. I wish we did. We would get a lot more done. But that's not the way our system works.

At this time, Madam Speaker, I yield 4 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. I thank the gentleman for yielding me time, Madam Speaker.

The Constitution prohibits Congress from passing a bill of attainder, a bill that, no matter what its form, punishes either a named individual or an easily ascertainable group of people.

Last week, to the great shame of this House, we passed a bill of attainder, a bill stating that no Federal funds shall go to a specifically named organization, ACORN.

Now, in this conference report, we are about to do it again. Why? Because of a desire to punish ACORN. And yet, as ACORN's lawyer wrote to us recently, this is, "to my research, unprecedented in congressional history. Never before has one corporation or entity been the subject of such broad reaching punishment by congressional mandate."

"The punishment here did not follow some criminal or administrative process with basic due process protections. It flowed out of a Fox News network-led call for a public lynching. There was no statement of charges and no reference to a judicial or administrative finding of wrongdoing by ACORN. All that occurred was a Member of Congress making a motion supported with a speech full of negative and largely inaccurate observations about ACORN, followed by a vote."

The fact is ACORN has never been convicted of anything. Lots of charges. So far, no proof in any court or any administrative proceeding. But some charges may be true. And they may or may not—I think not, but that's just a personal opinion—indicate substantial misfeasance. But that's why we have courts and administrative agencies and congressional investigating committees.

It may be that ACORN is guilty of various infractions, and, if so, it ought to be vetted or maybe sanctioned by the appropriate administrative agency or by the judiciary. But Congress must not be in the business of punishing individual organizations or people without trial, and that is what the provision in this conference report does. It

prohibits any Federal funds from going to ACORN for any purpose, clearly as a punishment for alleged misdeeds. This is a classic bill of attainder, and as such, it is flatly prohibited by the Constitution.

We must not ignore the Constitution. Whatever one may think of the subject matter or the organization, the Constitution and the ban on bills of attainder are there for the protection of all our liberties. And we ignore the constitutional provisions at our peril.

This bill of attainder should not be in this conference report, and I will, therefore, vote against the conference report.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

Let me respond to some of the remarks that have been made so far, Madam Speaker. First, I have to say that, in addressing the issue of ACORN, the gentleman from Worcester said that ACORN was the target of right-wing radio this week. The fact of the matter is there is a Justice Department investigation that, at this moment, is being undertaken to address this issue. So to argue that somehow this is just a product of right-wing radio is silly.

Mr. NADLER of New York. Will the gentleman yield?

Mr. DREIER. Of course. I'm happy to yield.

Mr. NADLER of New York. There is an investigation, and let it proceed and let it come to a conclusion, but there is no conclusion yet.

Mr. DREIER. If I can reclaim my time, let me say that I was simply responding to the gentleman from Worcester, who was saying that somehow the ACORN concerns that have been raised are nothing but developed from right-wing radio, as he described it.

It is true that a number of very, very smart investigative journalists have come forward and brought to the forefront some of the most outrageous abuses of taxpayer dollars, and we have seen these reports carried on television. The gentleman mentioned Fox News. We've heard it reported on the radio.

I believe that it is a great service, as we see hardworking Americans, hardworking Americans trying to make ends meet, and that kind of abuse of their tax dollars is outrageous, as has been reported. That kind of abuse is outrageous.

Mr. NADLER of New York. Will the gentleman yield?

Mr. DREIER. Of course, I'm happy to yield to my friend.

Mr. NADLER of New York. The point is, of course, as I said—and, by the way, it was I who talked about right-wing radio, not the gentleman from Worcester.

Mr. DREIER. If I could reclaim my time, Madam Speaker, the gentleman was not on the floor when Mr. MCGOVERN began his opening statement. The gentleman did, in fact.

So now I will say both my friends from Massachusetts and New York are now saying that right-wing talk radio is somehow responsible for this, when, in fact, it has been some very shrewd investigative journalists. And we have seen talk radio and some of the cable television networks bring us to the forefront. Unfortunately, it's taken quite a while for the so-called mainstream media to begin the kind of coverage of ACORN that we are finally seeing.

Mr. NADLER of New York. Will the gentleman yield?

Mr. DREIER. Of course, I'm happy to yield to my friend.

Mr. NADLER of New York. Thank you.

The point is, of course, I'm not going to debate the merits of the charges against ACORN. Charges have been made. As I said, some of them may be valid. They may be not valid. And if they're valid, they may indicate pervasive corruption; they may indicate minor errors. We don't know. We'll find out.

But the point is the Constitution prohibits Congress from acting on that information by punishing an organization. They should be punished, if indeed they should be punished, by an administrative agency, by cutting off funds, by HUD or whatever.

Mr. DREIER. Madam Speaker, if I could reclaim my time, let me say to my friend that the American people get it. They understand that ACORN is responsible for its own actions. They have seen what has taken place. It has been outrageous behavior. And the notion of somehow standing here and defending that when we are dealing with the funding bills themselves, the appropriations process, is just plain wrong.

Let me also say to my friend from Worcester managing this measure that he responded to my remarks by saying that he didn't want to have lectures given and he was tired of excuses being made. You know, the American people get it, too. The notion of pointing the finger of blame back and forth is not what they want.

Children make excuses and get slapped down by their parents. That has happened to me as a kid. It happens to everybody. And the idea of standing here saying, Well, we were lectured here and excuses are being made, so we somehow can continue to do what it is that we want to do. Well, Madam Speaker, I have to tell you that we didn't do things perfectly, but the fact of the matter is we didn't shut down the appropriations process. We did not shut down the appropriations process, denying Democrats and Republicans the opportunity to participate, as has been the case throughout the history of our country, and I think it's just plain wrong to do that. And the American people get that, too.

So we're not providing any lecturing. We're just saying regular order. The rules of the House should be followed, and they have been ignored consistently.

When one looks at the statements that have been made by many of our colleagues on the other side of the aisle who were critical of us when we were in the majority, it's incredible to see that they have taken and ramped up, ramped up the kind of behavior that they criticized on our part.

In fact, on the fiscal year 2000 measure, the fiscal year 2000 measure, as the Legislative Branch Appropriations bill was moving through, the ranking member of the Committee on Appropriations, the now chairman of the Committee on Appropriations, Mr. OBEY, said, in talking about the Legislative Branch bill, This bill should not be passed until we know how deep the cuts that are being made contemplated for veterans, for education, for health care, and other areas of major responsibility to our people. Because, in the end, if this bill is one of the first out of the gate and signed into law before the other cuts are made, then the American people are really going to have a right to ask whether we are more concerned with taking care of ourselves than we are with taking care of their own problems.

Those are the words of the chairman of the Appropriations Committee today, who is utilizing the "putting Congress first," the Legislative Branch Appropriations bill, as the first measure for tying the continuing resolution to that. And I think that it's a very, very unfortunate thing.

When we had an exchange up in the Rules Committee, I asked the distinguished Chair, As we look at our priorities—homeland security, veterans, our men and women in uniform who are in Iraq and Afghanistan—and we have now chosen that the priority for passage is the funding for the Congress of the United States, the distinguished Chair's response was, Uh-huh. Right. She said, That's it.

And so here we are, putting Congress first, when the American people believe we should be focusing on our border security, the threat of terrorism, funding for our troops. Those should be the priorities that we have. And the notion of standing here, Madam Speaker, having subverted the opportunity for the American people, Democrats and Republicans alike, to be heard in this appropriations so that we could get everything done by September 30, when we failed to meet that, is just plain wrong.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 30 seconds to the gentleman from New York.

Mr. NADLER of New York. The gentleman from California says the American people get it. They know what terrible things ACORN has done. That's not the point.

We do not punish people by referendum or by unpopularity. Congress should not punish people. That's why the Constitution says we cannot pass a bill of attainder. We have courts. We

have due process. We have administrative agencies to punish people or organizations for doing wrong things.

Mr. DREIER. Will the gentleman yield?

Mr. NADLER. Not for the moment.

Once Congress passes a bill of attainder and undertakes to punish an organization for doing whatever it did, we sacrifice our liberties, we sacrifice our due process protections, and that's why it's not up to us to punish. It's up to the court to punish.

Mr. DREIER. Madam Speaker, would the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. Madam Speaker, would the gentleman yield? I yielded repeatedly to the gentleman from New York.

Mr. MCGOVERN. I yield 15 seconds to the gentleman from California.

Mr. DREIER. I thank the gentleman for being so generous with the 15 seconds.

Let me just say that article 1 of the United States Constitution very clearly, with section 9, points to us as being responsible for funding. We have the power of the purse here, and the notion of saying that ACORN somehow has a right to U.S. taxpayer dollars is just plain wrong.

I thank my friend for yielding.

Mr. MCGOVERN. Madam Speaker, so nobody is confused here—and I appreciate the opinion of the gentleman from New York, but so nobody is confused here—the bill before us, there are no funds in this bill that may be provided to ACORN or any of its affiliates, subsidiaries, or allied organizations. None.

□ 0945

We can talk about this all we want, but the facts are the facts, and there's no money in this bill for ACORN.

The gentleman earlier talked about shutdowns of the process. What I recall is when the Republicans were in charge, they shut down the government in 1995. We all know the adverse impacts of that.

For the record, I want to make clear to people that the Legislative Branch appropriation bill does not include Members' salaries. So this notion that we're somehow padding our pockets here is a little bit off the mark. The fact of the matter is, included in the Legislative Branch appropriation bill are moneys to help fund CBO so that it will be easier for Members to obtain PAYGO analyses of their proposals. We're all talking about the need to be more conscious of our debt and our deficit. That's one way to do it.

The other thing is that in this bill is money to protect the people who come and visit the United States Capitol. In this conference report, there are moneys that ensure that the Capitol Complex is as secure and as safe as possible, providing a 7 percent increase in funding for the Capitol Police, covering all mandatory spending and maintaining FY09 force levels. The bottom line here

is that the men and women who protect us in the Capitol Police deserve more gratitude than they're getting the way this Legislative Branch appropriation bill is being described.

This is an important bill. All appropriations bills are important. We're going to hopefully pass all of our appropriations bills and not do what my friends on the other side did when they were in power, and that is just pass it off to another year. I think that we should move forward on this.

Again, in the continuing resolution there is an increase in funding for veterans health care. I think that is important. We owe our veterans more, quite frankly, than we are giving them. I hope that all my colleagues will support not only the rule but the final passage of this conference report.

I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

This has been a fascinating debate, and I know that we want to move to consideration of the measure. I hope that we'll be able to defeat the rule. As I listened to my friend from New York talk about ACORN, to follow the logic that the gentleman has put forward basically is saying that ACORN is an entitlement; ACORN is entitled to these taxpayer dollars. We don't believe that, Madam Speaker. We happen to believe that the outrageous reports that have come forward are very clear and the admissions that have been made by ACORN, and the changes that they are attempting to make now that this kind of behavior has come to light is very important.

So my friend from New York is criticizing the fact that this continuing resolution does not provide funding for ACORN, but only for 30 days. The continuing resolution is 30 days. Basically 30 days following September 30, the end of the fiscal year, funding goes right back up. So I guess his entitlement will be able to be continued.

The notion of somehow saying that the United States House of Representatives, which under Article I, Section 9 of the U.S. Constitution, is empowered with spending the taxpayer dollars, cannot cut off funding for ACORN, and for that reason, we're going to see the gentleman from New York voting against the continuing resolution is, to me, absolutely incomprehensible.

Madam Speaker, I've got to say that we've got a process here which is putting Congress first. My friend has just outlined the priorities. I guess I would inquire of him how often he gets calls from his constituents saying, Are you keeping the Capitol Complex safe so that you can move in and out of your office? That is not what the American people are concerned about. I recognize it's important to keep this great Capitol Complex safe, and I'm not saying that we shouldn't pass the Legislative Branch appropriation bill.

I'll tell you what I do believe. I believe that border security and dealing with the threat of terrorism by funding

Homeland Security and I believe that passing the Defense appropriation bill so that our men and women in uniform have the resources that they need through the appropriations process is more important right now, and the American people get that.

With that, if my colleague is prepared to close, Madam Speaker, I will simply say to my colleagues that this measure does, as I said, put Congress first, and we should not put Congress first, ahead of the priority spending for national security, which is priority number one. We continue to have statements made by our friends on the other side of the aisle, including the veto message from President Clinton in 1996. He vetoed a measure because we were passing the Legislative Branch appropriations bill for saying that there are many other priorities that should be ahead of it.

Madam Speaker, I urge my colleagues to vote against this rule so that we can move ahead in a very, very responsible way.

I yield back the balance of my time.

Mr. MCGOVERN. Madam Speaker, the gentleman described this debate as fascinating. I would describe it as kind of bizarre. The Legislative Branch bill that President Clinton threatened to veto, if I remember correctly, the gentleman from California voted for. And I will stress again that there is no money in this bill for ACORN, none, or its affiliates or its subsidiaries. Huge majorities in both the House and the Senate are on record as opposing funding ACORN. This notion that somehow when the CR runs out that the money for ACORN is going to go up, I don't get that. There will either be another CR or we will have passed relevant appropriation bills that will continue the prohibition. So that is kind of a nutty debate, and it is not relevant to this bill because this bill bans Federal funding for ACORN.

The other thing that I will say is that all appropriations bills are important, and we are going to get to all of them. But I think it is wrong to diminish the Legislative Branch appropriation bill, and I think it's wrong to kind of brush aside the importance of funding for the Capitol Police. We have had members of the Capitol Police lose their lives in the line of duty, protecting not only us but protecting our constituents who come here. They deserve to be supported, and they deserve to be thanked. This bill does that.

Again, I will remind my colleagues that in the CR there is an increase in funding for veterans health. Now if you don't want to fund the Capitol Police and you don't want to increase funding for veterans health, then vote against the rule and vote against the final passage of the bill. But I think the vast majority of our constituents are saying, This is a no-brainer. Move this forward. Continue your business. Continue to work on the other appropriations bills, and get your work done. And we are going to do that.

Let me finally say again in support of Chairman OBEY and the members of the Appropriations Committee, they did all of their work in this House. Every single one of the appropriation bills has been passed. It is now up to the Senate to pass their bills, and then we will conference them and bring them back here for a final vote.

Mr. Speaker, in a moment I will be offering an amendment to this rule, and I want to briefly explain the amendment. The amendment will provide for adoption of an enrollment resolution that corrects a technical error made by the Senate in the continuing resolution. After the Senate struck a section in the continuing resolution, internal cross-references in the conference report became incorrect. This mistake could block contracting authority for any surface transportation programs, a result that I am certain that no Member of this House, Republican or Democrat, would support. The enrollment resolution corrects the cross-references.

I hope all my colleagues will vote "yes" on the amendment, the rule and the previous question.

AMENDMENT OFFERED BY MR. MCGOVERN

Mr. MCGOVERN. Madam Speaker, I have an amendment to the rule at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by MCGOVERN:

At the end of the resolution, add the following:

"SEC. 2. Upon the adoption of the conference report the House shall be considered to have adopted the concurrent resolution (H. Con. Res. 191) directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 2918."

Mr. MCGOVERN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MOTION TO GO TO CONFERENCE ON H.R. 3183, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. PASTOR of Arizona. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of Committee on Appropriations, I move to take from the

Speaker's table the bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

MOTION TO INSTRUCT

Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion to instruct conferees.

The SPEAKER pro tempore (Mr. HASTINGS of Florida). The Clerk will report the motion.

The Clerk read as follows:

Mr. Frelinghuysen moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3183 be instructed as follows:

(1) To not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 48 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Arizona (Mr. PASTOR) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I voted for the House Energy and Water bill. It was a good bipartisan compromise. It was my pleasure to work closely with the chairman, Mr. PASTOR, as we put it together. I and many of my colleagues are increasingly concerned that we don't have the level of information that we need to make wise decisions on the legislation. Our jobs require that we read and fully understand complex pieces of legislation that we vote on, and that takes time.

It is for this reason that I am making this motion to instruct House conferees not to sign the final conference agreement until the text has been available to the conferees in an electronic, searchable and downloadable form at least 48 hours prior to conferees' approval.

Mr. Speaker, I reserve the balance of my time.

Mr. PASTOR of Arizona. Mr. Speaker, I first of all want to congratulate the ranking member for the work he has done on this bill. I want to thank him for the cooperation he has given and thank him again for his cooperation in working on this conference.

Mr. Speaker, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.